

PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 03 AUG 2001

PCT

14

Applicant's or agent's file reference 1624-17-1	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/14591	International filing date (day/month/year) 26 MAY 2000	Priority date (day/month/year) 28 MAY 1999
International Patent Classification (IPC) or national classification and IPC IPC(7): G06K 19/06 and US Cl.: 235/487, 492, 493		
Applicant UTM SYSTEM CORP.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 0 sheets.

## 3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  20 DECEMBER 2000	Date of completion of this report  20 JUNE 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer <i>Shawn J. Hoppe</i> Daniel St.Cyr
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**I. Basis of the report****1. With regard to the elements of the international application:\***☐ the international application as originally filed☒ the description:

pages 1-10

pages NONE

pages NONE

, as originally filed  
, filed with the demand☒ the claims:

pages 11-14

pages NONE

pages NONE

pages NONE

, as originally filed  
, as amended (together with any statement) under Article 19  
, filed with the demand☒ the drawings:

pages 1-3

pages NONE

pages NONE

, as originally filed  
, filed with the demand☒ the sequence listing part of the description:

pages NONE

pages NONE

pages NONE

, as originally filed  
, filed with the demand**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**☐ contained in the international application in printed form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.**4. ☒ The amendments have resulted in the cancellation of:**☒ the description, pages NONE☒ the claims, Nos. NONE☒ the drawings, sheets/fig. NONE**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/14591

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. statement

Novelty (N)

Claims NONE YES  
Claims 1-19 NO

Inventive Step (IS)

Claims 1-19 YES  
Claims NONE NO

Industrial Applicability (IA)

Claims 1-19 YES  
Claims NONE NO

### 2. citations and explanations (Rule 70.7)

Claims 1-19 lack novelty under PCT Article 33(2) as being anticipated by Eisele, US Patent No. 5,159,182.

Eisele discloses a smart data storage device comprising: a floppy-disk housing 7; a slot 8 disposed within the housing and operable to receive a card 1 having a magnetic stripe 5 that stores information; a read head 17 disposed within the housing and operable to read the information stored on the magnetic stripe; a disk-drive communication head 4 disposed within the housing; and inherently includes a communication circuit disposed within the housing and coupled to the read and communications heads for allowing communication between the card and a computer terminal, the circuit operable to receive the information stored on the magnetic strip from the read head and to provide the received information to the communications head (see figures 1-3; col.4).

Claims 1-19 meet the criteria for Inventive Step and Industrial Applicability set out in PCT Article 33(3)-(4).

NEW CITATIONS  
NONE